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Environment and sustainable development: protection of global climate for present and future generations of mankind

Outcome of the eighth session of the Conference of the Parties to the United Nations Framework Convention on Climate Change

Note by the Secretary-General

The Secretary-General has the honour to transmit to the General Assembly, pursuant to its resolution 57/257, the report of the Executive Secretary of the United Nations Framework Convention on Climate Change on the work of the Conference of the Parties to the Convention.

* A/58/150.

03-48245 (E) 170903

Report of the Executive Secretary of the United Nations Framework Convention on Climate Change on the work of the Conference of the Parties to the Convention

I. Introduction

1. The General Assembly, in its resolution 57/257, invited the Executive Secretary of the United Nations Framework Convention on Climate Change[1] to report to it at its fifty-eighth session on the work of the Conference of the Parties to the Convention. The present report is submitted in response to that invitation.

II. Outcome of the eighth session of the Conference of the Parties

A. Summary

2. The Conference of the Parties to the United Nations Framework Convention on Climate Change held its eighth session at New Delhi, India, from 23 October to 1 November 2002. The Conference adopted the Delhi Ministerial Declaration on Climate Change and Sustainable Development on 1 November 2002.[2]

B. Outcome of the eighth session

3. The Delhi Declaration, a broad political statement, incorporates themes adopted at the World Summit on Sustainable Development in Johannesburg in August 2002. It stresses that risks associated with climate change, with potentially most serious impacts on developing countries, need to be addressed by integrating appropriate action in national sustainable development strategies in such key areas as water, energy, health, agriculture and biodiversity. The Declaration highlights that, along with mitigation measures, urgent action is required to adapt to climate change. It promotes informal exchange of information on actions relating to mitigation and adaptation to assist Parties in continuing to develop effective and appropriate responses to climate change. It reaffirms that all Parties should continue to advance the implementation of their Convention commitments, that developed countries should demonstrate that they are taking the lead in modifying longer-term trends, and that economic and social development and poverty eradication are the first and overriding priorities of developing countries. In recognizing the findings of the third assessment report of the Intergovernmental Panel on Climate Change, it underscores the need for significant cuts in global emissions to meet the Convention's ultimate objective. Parties that have ratified the Kyoto Protocol to the Convention strongly urged Parties that have not done so to ratify the Kyoto Protocol.

4. The Declaration recognizes the importance of improving access to reliable, affordable, economically viable, socially acceptable and environmentally sound energy services and resources. It emphasizes the promotion of international cooperation in developing and disseminating innovative technologies, particularly in the energy sector, through investment, market-oriented approaches, private-sector

involvement and supportive public policies. It calls for technological advances to be promoted through research and development, economic diversification and strengthening of relevant regional, national and local institutions for sustainable development. It stresses that actions are required to diversify energy supply by developing advanced, cleaner, more efficient, affordable and cost-effective fossil fuel and renewable energy technologies, including hydropower, and their transfer to developing countries on concessional terms, as mutually agreed. It also stresses that actions are required to substantially increase the global share of renewable energy sources with the objective of increasing their contribution to total energy supply.

5. The Conference welcomed progress on the prompt start of the clean development mechanism which had been launched as part of the Marrakesh Accords adopted in 2001. The mechanism is to channel private-sector investment into emission-reduction projects in developing countries (parties not included in annex I to the Convention). In that way, it is to advance sustainable development in those countries, while allowing governments of industrialized countries (parties included in annex I to the Convention) to use resulting emission reduction credits against their Kyoto Protocol targets. The mechanism therefore creates a new and unique opportunity for developing countries to obtain resources for sustainable development. Among the important operational measures that were recommended by the Executive Board of the mechanism and approved by the Conference were simplified modalities and procedures for small-scale projects of the mechanism, which have lower transaction costs and are more attractive for investors. The Conference also agreed with the proposal of the Board to facilitate the designation of operational entities which are assuming various certifying functions in the context of the mechanism. Finally, the Conference approved the proposed rules of procedure for the Board, which are essential for its efficient, cost-effective and transparent functioning.

6. The Conference completed the elaboration of guidelines under articles 5, 7 and 8 of the Kyoto Protocol and of standards for registry systems, which are essential components for the credible implementation of the Kyoto Protocol. The guidelines establish the rules for estimating greenhouse gas emissions and for the accounting of assigned amounts, which constitute the basis for assessing the fulfilment of commitments of industrialized countries under the Protocol. They also set the rules for the reporting of information by industrialized countries and for its review. The standards for communication between registry systems are a key prerequisite for the transparent functioning of emissions trading and the mechanism.

7. National communications are an important means for sharing information among all parties. New guidelines were adopted for the preparation of second national communications of developing countries. Those guidelines, which were an improvement of the earlier guidelines, will enhance the quality of national reporting and facilitate the improved exchange of information that is crucial for the effective implementation of the Convention and of the Protocol when it enters into force. The Consultative Group of Experts on national communications of developing countries was asked to identify and assess technical problems and constraints in the preparation of the first reports, and the secretariat was requested to prepare a report on the steps that have been taken by developing countries to implement the Convention. The Conference took further decisions to improve the reporting of national greenhouse gas inventories of industrialized countries and guidelines for the technical review of these reports.

8. The Conference provided guidance to the Global Environment Facility (GEF), as the designated financial mechanism of the Convention, on the operation of the two new funds for developing countries, namely the Least Developed Countries Fund and the Special Climate Change Fund, that were both established as part of the Marrakesh Accords in 2001. The Least Developed Countries Fund is currently operational and is providing resources to finance the preparation of national adaptation programmes of action in least developed countries, and to support the organization by the Least Developed Countries Expert Group of regional preparatory workshops to advance the process of preparation of the programme of action. Guidance was given to GEF to fund the preparation of second national communications from developing countries and to operationalize the Special Climate Change Fund.

9. The Conference also marked the conclusion of the second review of effectiveness of the financial mechanism, which acknowledged that although there is need to improve upon some operational aspects of GEF work, it had effectively performed its role as an entity operating the financial mechanism. As a result of the review, the Conference also requested the Convention secretariat to prepare a report, in consultation with the GEF secretariat, on the determination of funding necessary and available for the implementation of the Convention, and also to facilitate, through dialogue, the streamlining of Conference guidance to GEF.

10. The Conference reviewed the set of activities adopted as a policy framework to enhance the transfer of technology under the Convention. It recalled the relevant chapter of Agenda 21 on the transfer of environmentally sound technology and the relevant provisions of the Plan of Implementation of the World Summit on Sustainable Development, adopted in Johannesburg in September 2002. It welcomed the initial progress in the implementation of the framework for meaningful and effective actions to enhance the implementation of article 4.5 of the Convention, as agreed in the Marrakesh Accords. It also noted with appreciation the progress of the work of the Expert Group on Technology Transfer and encouraged the Group to continue with its good work. The Conference requested the Chair of the Subsidiary Body for Scientific and Technological Advice to conduct consultations and facilitate collaboration among the three expert groups established under the Convention, namely, the Consultative Group of Experts on National Communications of Developing Countries, the Expert Group on Technology Transfer and the Least Developed Countries Expert Group.

11. The Conference stressed the need to implement the measures agreed at its seventh session to strengthen the capacities of developing countries to address the challenges posed by climate change. An informal mechanism created between the secretariat and key intergovernmental organizations, including GEF and its implementing agencies, which deliver capacity-building support to the parties, continued at the eighth session. The objective of that process is to improve information exchange between relevant organizations, and thereby to facilitate coordinated and efficient provision of capacity-building support to parties.

12. The Conference also adopted the New Delhi work programme on article 6 of the Convention, relating to education, training, public awareness, public access to information, public participation and international cooperation on those matters. Within that five-year work programme, the Conference agreed on a list of country-driven activities that could be undertaken to improve climate-focused education and

training programmes and increase the availability of information on climate change, thereby improving public awareness and public participation. The work programme also includes a number of elements that will enhance regional and international cooperation on those issues. A novel feature of the work programme is that it recognizes the important role of intergovernmental and non-governmental organizations in supporting work at the national and international levels. The work programme will undergo an interim review in 2004 and a comprehensive review in 2007.

C. Conclusions and recommendations

13. The General Assembly may wish to, inter alia:

(a) Take note of the report of the Executive Secretary of the United Nations Framework Convention on Climate Change, as transmitted by the Secretary-General;

(b) Note the outcome of the eighth meeting of the Conference of the Parties to the Convention, hosted by the Government of India from 23 October to 1 November 2002;

(c) Invite the Executive Secretary to continue to report to it on the work of the Conference.

Notes

[1] United Nations, *Treaty Series*, vol. 1771, No. 30822.

[2] See FCCC/CP/2002/7/Add.1, decision 1/CP.8.

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Fifty-eighth session
Item 119 (b) of the provisional agenda*
Human rights questions: human rights questions, including alternative approaches for improving the effective enjoyment of human rights and fundamental freedoms

Human rights and cultural diversity

Report of the Secretary-General**

Summary

The present report is submitted in accordance to General Assembly resolution 57/204 of 10 February 2003 entitled "Human rights and cultural diversity" by the General Assembly. Further to the resolution, the Secretary-General sent a note verbale dated 13 June 2003 to Member States, relevant United Nations agencies and non-governmental organizations, inviting them to transmit any information and comments relevant to the subject "human rights and cultural diversity". As of 4 August 2003, ten replies had been received and are summarized in the present report. The full text of the replies are available in the Secretariat for consultation upon request.

* A/58/150.

** The document was submitted after the deadline, so as to include as much information as possible.

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I. Introduction

1. The present report is submitted pursuant to General Assembly resolution 57/204 of 10 February 2003, which the Secretary-General is requested to prepare a report on human rights and cultural diversity, taking into account the views of Member States, relevant United Nations agencies and non-governmental organizations, as well as the considerations in the resolution regarding the recognition and importance of cultural diversity among all peoples and nations in the world, and to submit the report to the Assembly at its fifty-eighth session.

2. In accordance with resolution 57/204, the Secretary-General, in a note verbale dated 13 June 2003, invited Member States, relevant United Nations agencies and non-governmental organizations to transmit any information and comments relevant to the subject matter. As at 4 August 2003, replies had been received from the Governments of Argentina, Guatemala and the Syrian Arabic Republic. Replies were also received from the European Commission, the United Nations Conference on Trade and Development (UNCTAD), the United Nations Environment Programme (UNEP), the United Nations Children's Fund (UNICEF), the United Nations Population Fund (UNFPA), the Joint United Nations Programme on HIV/AIDS (UNAIDS), and the United Nations Educational, Scientific and Cultural Organization (UNESCO). These replies are summarized below; the full texts are available at the Secretariat. Information received after the submission of the present report will be reproduced in the original languages of submission as addenda to the report.

II. Replies received from Governments

Argentina

[Original: Spanish]
[11 July 2003]

3. Respect for cultural diversity is reflected in several legal provisions. In the constitutional reform undertaken in 1994, the rights of indigenous peoples were taken into account in article 75 of the Constitution, which constituted significant progress in recognizing the cultural and ethnic diversity of the country. The Constitution recognizes the cultural, historical and ethnic identities of the indigenous peoples of Argentina, as well as their traditional land rights, and guarantees indigenous peoples' the right to participate in the administration and management of their natural resources and other matters affecting them. The right of indigenous peoples to transmit their culture through bilingual education is also recognized.

4. Furthermore, in 2000, Argentina ratified International Labour Organization Convention No. 169 concerning Indigenous and Tribal Peoples in Independent Countries. In doing so, Argentina has adhered to one of the most advanced international standards concerning indigenous peoples' rights, affirming its firm commitment to recognize and respect the rights of indigenous peoples, as set forth in the provisions of the Convention.

Guatemala

[Original: Spanish]
[16 July 2003]

5. The Government of Guatemala provided comprehensive information and a list of activities undertaken or supported by the Government with regard to cultural diversity. The information covers progress made in recent years concerning the preservation of cultural diversity, a national strategy of cultural policy and a brief overview of several organizations working on issues related to, and with the indigenous Mayan people. The Government of Guatemala reaffirms its commitment to the promotion of human rights and cultural diversity in line with the principles adopted in General Assembly resolution 57/204, with special attention given to indigenous peoples' cultures and traditions.

6. Regarding the progress made recently on cultural diversity, the Government of Guatemala provided information on the new laws promulgated in 2001 and 2002 on social and family policy, urban and rural development, recognition of indigenous languages and bilingual education. The training of bilingual teachers and the writing of bilingual school textbooks are ongoing. The National Commission against Racism and Discrimination against Indigenous Peoples was established, with one of its immediate tasks being to formulate policy to assist the Government to eliminate racism.

7. In 2000, the Government of Guatemala organized the National Congress on the Principles of Cultural Policy, in which more than 600 people from all regions of the country, including representatives from all indigenous communities, participated. Recommendations were addressed to the Government for its cultural policy-making. One of the recommendations was that the Government integrate a cultural dimension into a sustainable development programme with the participation of local organizations and civil society. In addition, emphasis was placed on the promotion of various forms of cultural creation and expression, strengthening the monitoring mechanism for the protection and promotion of cultural heritage, implementation of legal standards with regard to cultural heritage, support of the participation of population in the protection and rehabilitation of cultural heritage and international cooperation in the field of cultural and ecological tourism.

8. A number of measures have been undertaken by the Government of Guatemala to strengthen cultural institutions so that they can be better equipped, funded and coordinated, thereby protecting cultural heritage more effectively. Special attention has been given to mechanisms and institutions which focus on youth, women, minority and indigenous communities. Moreover, the Government intends to take action to review current legislation, with a view to better reflecting the multi-ethnic and multicultural reality of the country.

9. Finally, the Government of Guatemala provided information on Mayan organizations and their activities relating to education and culture.

Syrian Arab Republic

[Original: Arabic]
[26 June 2003]

10. The Syrian Arab Republic reiterates its commitment to protect cultural diversity and its recognition of the contribution of cultural diversity to the promotion and protection of human rights, acknowledging that all cultures and civilizations share a common set of universal values. The Government believes that it is important to welcome cultural, ethnic, religious and linguistic diversity as well as dialogue between and among civilizations in order to build bridges between all cultures and nations.

III. Replies received from intergovernmental organizations

European Commission

11. The European Commission reiterates that the preservation and promotion of cultural diversity are among the founding principles of the European Union, as enshrined in its Treaty and Charter, which apply to both internal and external dimensions of European Union action. Recognition, preservation and promotion of cultural diversity constitute an important contribution to sustainable development, peaceful coexistence and dialogue between cultures. European Union policy is to support and implement the United Nations Educational, Scientific and Cultural Organization Universal Declaration on Cultural Diversity within and outside Europe, including through developing local cultural industries and improving the distribution of cultural products from developing countries.

12. The European Union has repeatedly affirmed that human rights and democratization, including the rights of cultural, linguistic and religious minorities, are part of its dialogue with third countries. This dialogue takes place, among others, in cooperation with the Commission on Human Rights and the General Assembly.

13. Among the initiatives the European Union has been undertaking are the Europe-Mediterranean intercultural dialogue programme, which consists of a wide range of projects, and the European Initiative for Democracy and Human Rights, with a view to supporting advocacy for the rights of minorities and against discrimination, racism, xenophobia and intolerance in the European Union member States. The implementation of the European framework against racism and discrimination is also backed up by a five-year action programme (2001-2004) with a significant budget allocation.

IV. Replies received from the United Nations system

United Nations Conference on Trade and Development

14. The secretariat of UNCTAD provided updated information on the activities on the protection of traditional knowledge, as part of its work in the area of trade and environment, within the framework of the Johannesburg Plan of Implementation adopted by the World Summit on Sustainable Development. The emphasis has been

on exchanging national experiences on policies and measures, with a view to protecting traditional knowledge; recognizing the rights of local and indigenous communities as the holders of traditional knowledge; and developing and implementing benefit-sharing mechanisms for the use of such knowledge. UNCTAD is also encouraging developing countries and countries in transition in their efforts to develop national sui generis systems, by providing technical and financial assistance.

15. UNCTAD has been participating actively in the implementation of the Convention on Biological Diversity and initiatives of the World Intellectual Property Organization with regard to traditional knowledge. More information can be found on the web site http://r0.unctad.org/trade_env/test1/openF1.htm and in United Nations document A/57/311. In April 2003, UNCTAD and the Government of India organized an international seminar on systems for the protection and commercialization of traditional knowledge. The seminar examined experiences of developing countries in protecting traditional knowledge and discussed strategies for commercialization, particularly of traditional medicine and paradigms for international protection regimes. UNCTAD will also join forces with the Commonwealth Secretariat to organize a workshop aimed at delineating elements of national sui generis systems for the preservation, protection and promotion of traditional knowledge, as well as exploring international dimensions.

United Nations Environment Programme

16. In outlining its programme and activities with specific focus on the special needs of indigenous peoples worldwide for the protection of the environment, UNEP states that, since indigenous peoples are significantly dependent on their immediate environment for survival, they are particularly vulnerable to environmental threats. For many indigenous peoples, the degradation and destruction of their environment, sometimes caused by development projects, especially in the areas of infrastructure, mining, tourism and dams, are direct violations of their human rights. Examples have been found in many countries of indigenous peoples that have been forcibly displaced from their traditional lands and territories. Such displacement severely threatens not only the indigenous peoples' lifestyles, but also goes so far as to endanger their existence and survival.

17. UNEP considers that there is an urgent need for recognition of the close connection between the problems of loss of biological diversity, the weakening of cultural diversity and poverty. These elements are also relevant to sustainable development and therefore require a holistic and more comprehensive approach for action at all levels. Therefore, efforts to eradicate poverty should include protecting the biological basis that supports the life of the poor and providing them with opportunities for improving their welfare, while preserving their cultural identity and dignity. This, in turn, is directly related to the protection of human rights.

18. According to UNEP, more than two million deaths and billions of cases of diseases annually can be attributed to pollution. Half a billion persons, mainly children and women in poor rural areas, live and work in severely polluted environments, and 500 million premature deaths annually can be attributed to the high levels of contamination in cities. These facts indicate that the right to life and the right to health, as the most important and fundamental of human rights, are

seriously affected by environmental degradation. With a view to addressing the balance between environment and peoples, in 1999, UNEP published the book entitled "Cultural and Spiritual Values of Biodiversity", which complemented the Global Biodiversity Assessment and demonstrated that respect for cultural diversity in all its dimensions is a prerequisite to safeguarding the environment.

19. A number of other initiatives has been undertaken to link the protection of the environment and human rights issues. For example, a joint UNEP-Office of the United Nations High Commissioner on Human Rights expert seminar on human rights and the environment was held in early 2002 in Geneva. The report is contained in document E/CN.4/2002/WP.7. During the World Summit on Sustainable Development, held in Johannesburg from 24 August to 4 September 2002, UNEP and UNESCO organized a high-level round table on cultural diversity and biodiversity for sustainable development.

20. As requested during the twenty-second session of the UNEP Governing Council (decision UNEP.GC22/16), UNEP will further examine the issue of environment and cultural diversity, together with relevant stakeholders and UNESCO, and present its recommendations to the Governing Council at its twenty-third session in 2005.

21. UNEP also referred to the concept of environmental justice, addressed, inter alia, by the Global Judges Symposium on Sustainable Development and the Role of Law, which held a special session on environmental justice, human rights and the rule of law in Johannesburg in August 2003.

United Nations Children's Fund

22. The UNICEF approach to human rights and cultural diversity is guided by the Convention on the Rights of the Child, the Convention on the Elimination of All Forms of Discrimination against Women, its mission statement and the outcome documents adopted at the special session of the General Assembly on children held in May 2002. Those documents recognized the importance of cultural diversity and human rights, both as an end to prevent discrimination and violence, and a means to ensure the full development of the child. The Convention on the Rights of the Child lays down the right to non-discrimination, the right of the child to have his or her own culture preserved, the right of the child to express his or her culture and participate in cultural life, the right of the child to know other cultures and the right of the child to be protected from harmful cultural practices. The UNICEF human rights-based approach to programming implies that respect for cultural traditions, to the extent that they are not harmful to the child, is essential for the effectiveness of all actions and is a crucial element for the realization of children's rights.

23. The UNICEF medium-term strategic plan for the period 2002-2005 envisions "a world where the safety and well-being of each child are priorities, where gender, religion and ethnicity are differences that enrich the world, and where children are taught to respect each person's dignity". It also underlines that education should respect a child's cultural heritage, and that education programmes should fully reflect the promotion and protection of human rights and tolerance, gender equality, the need to end harmful traditional or customary practices, such as early and forced marriage, and female genital mutilation. The Strategy Plan highlights the issue of discrimination regarding the child's access to basic social services and states the

need to intervene for the reduction of physical and psychological violence against children, including cases of harmful traditional practices.

24. UNICEF has been actively advocating for an end to discrimination against minority children. In this regard, various projects have been or are being implemented in Eastern European countries and the Commonwealth of Independent States. Concerning the participation of children as a means of enhancing the effectiveness of programmes, and promoting exchange and communication between children, UNICEF has developed "Voices of Youth", a web site intended to promote dialogue between youth from all over the world. In addition, many UNICEF programmes implemented at the subregional level promote intercultural dialogue as means of combating discrimination against indigenous children.

25. According to UNICEF, multicultural education is important in order to provide quality education for every child. In this regard, the policies or practices of State education systems should reflect not only the culture and language of the majority, but also the cultures, histories and languages of ethnic minorities or indigenous peoples for all children. UNICEF has supported bilingual and multicultural education programmes for indigenous children in several countries in Latin America, assisted education for Roma children in Eastern Europe and supported the inclusive education for San children in Namibia.

26. UNICEF deems peace education to have a place in all societies and not only in countries affected by armed conflict. Education for conflict resolution initiatives are currently being implemented in more than 20 countries, covering a wide range of activities to promote democratic youth leadership, training of child broadcasters and parents' education for conflict mediation and non-violence. For example, in Indonesia, UNICEF has supported the development of a peace education curriculum to introduce peace-building and conflict resolution into schools in the war-torn province of Aceh. In 2002, more than 22,000 students benefited from the curriculum intended to promote non-violence, conflict resolution and a basic understanding of human rights among youth and school children in public and private schools.

27. Non-discrimination should imply the implementation of culturally sensitive policies addressing cultural barriers, which hinder access to services in culturally diverse countries. On the one hand, in several countries, UNICEF has supported culturally sensitive programmes to promote health and safe motherhood in indigenous communities. On the other hand, UNICEF has been acting to end those traditional practices that are harmful to the health of women and children, in accordance with the Convention on the Rights of the Child and other human rights instruments. UNICEF believes that cultural practices are only acceptable to the extent that they are in compliance with human rights and fundamental freedoms.

United Nations Population Fund

28. UNFPA provided information on the implementation of the Programme of Action of the International Conference on Population and Development adopted in Cairo in 1994, with regard to addressing the specific needs of indigenous populations in all aspects of population and development, including their needs in reproductive health care. In this respect, the approved review entitled "Key actions for the further implementation of the Programme of Action of the International Conference on Population and Development" reaffirms that Governments should

promote and respect the rights of indigenous people with particular reference to their cultures, resources, belief systems, land rights and languages, and should expand their access to youth and adult education learning policies and programmes, as well as reproductive health-care services. Emphasis is placed on addressing the access of indigenous women and girls to basic social services, including information, education, and sexual and reproductive health services. UNFPA efforts have also been directed at incorporating the perspectives and specific needs of indigenous communities into the design, implementation, monitoring and evaluation of the population, development and environment programmes affecting them.

29. UNFPA national and regional projects specifically target indigenous peoples in Bolivia, Ecuador, Panama and Peru and rural communities in India, Mexico, Uganda and Viet Nam. Recent efforts have been expanded to include the provision of bilingual literacy programmes, with literacy training in native languages, as well as in the country's official language. Furthermore, UNFPA has been promoting good practices in several countries, such as Bolivia, Ecuador, Mexico, and Peru to encourage the effective participation of women in economic and social life through literacy programmes in local languages and to support community capacity-building on the prevention of sexually transmitted infections and HIV/AIDS.

30. UNFPA has also made recommendations in relation to the implementation of General Assembly resolution 57/204. They call upon United Nations agencies to integrate a gender perspective in all policies and programmes affecting women's health, and to involve women in the planning, implementation and monitoring of such policies and programmes and in the provision of health services. UNFPA has recommended that Governments, in collaboration with research institutions and non-governmental organizations and with the assistance of the international community, strengthen national information systems to produce reliable statistics and disaggregated information on a broad range of population and environment-related issues and develop indicators in a timely manner. The indicators should include, inter alia, poverty measures at the community level, women and girls' access to social and economic resources, enrolment and retention of girls and boys in schools and access to sexual and reproductive health information, education and services.

Joint United Nations Programme on HIV/AIDS (UNAIDS)

31. Many aspects of the work of UNAIDS deal with cultural diversity and human rights. UNAIDS considers that explanations of the causes and consequences of HIV/AIDS vary from culture to culture, based on different perceptions and values, as well as myths. These cultural perspectives affect the prevention and care that are developed and applied. Paying attention to them will ensure the designing of culturally appropriate HIV/AIDS programmes. Therefore, in recognizing that some groups are vulnerable to HIV/AIDS because of their marginalization, the UNAIDS programme has been taking into account the dignity and value of each cultural community in its programming and involves communities, in order to ensure that its work is culturally acceptable and understood. Moreover, UNAIDS believes that the programme should encourage and include the identification of elements within cultural norms and values that are supportive and encourage the adoption of alternative measures to some cultural norms or values that hinder effective responses to HIV/AIDS-related issues.

United Nations Educational, Scientific and Cultural Organization

32. UNESCO action in the field of human rights and cultural diversity includes international standard-setting and implementation of various programmes within its mandate and areas of competence as outlined below.

33. The Universal Declaration on Cultural Diversity, adopted in 2001, recognizes the complex landscape of cultural differences and stresses the need to maintain cultural diversity. It also underlines the fact that cultural diversity must not be allowed to serve as a pretext for infringing on fundamental human rights, or for promoting cultural relativism. One of the Declaration's aims is to avoid segregation and fundamentalism which, in the name of cultural traditions, crystallize differences and infringe the principles of the Universal Declaration of Human Rights. The Action Plan on Cultural Diversity focuses, inter alia, on: (a) safeguarding the linguistic heritage of humanity and providing support to expression, creation and dissemination in the greatest possible number of languages; and (b) encouraging linguistic diversity — while respecting the mother tongues — at all levels of education, including promoting linguistic diversity in cyberspace.

34. During the World Summit on Sustainable Development, held in 2002, UNESCO assessed the contribution made by the World Conference on Cultural Policies, held in Mexico City in 1982, the World Decade for Cultural Development (1988-1997), the 1996 report on the World Commission on Culture and Development (Our Creative Diversity), the Stockholm Intergovernmental Conference on Cultural Policies for Development, held in 1998 and the 2001 UNESCO Declaration on Cultural Diversity. Several member States recommended that the drafting of an international convention on cultural diversity be mandated to UNESCO. This initiative reflected emerging problems of the new century that should be addressed, such as cultural diversity and globalization and the need to protect cultural diversity. At its 166th session in April 2003, the Executive Board of UNESCO examined the document on legal and technical aspects of a possible international convention on cultural diversity and recommended that the item be placed on the agenda of the session of the General Conference in September 2003.

35. The inter-religious dialogue programme was launched in 1995 together with the "Roads of Faith" project, aimed at promoting dialogue among different religions and spiritual traditions in a world where inter-religious or intra-religious conflicts were becoming more widespread as a result of ignorance or a lack of understanding of other cultures, beliefs and ways of life. The programme promotes mutual understanding between religious and cultural pluralism and takes into account the need for the protection of religious minorities.

36. Cultural diversity has been recognized as a source of enrichment of all human societies. In this respect, UNESCO initiated the exchange of experiences and good practices relating to cultural pluralism, including a pilot project on the mapping of indigenous communities' cultural resources, including languages and oral traditions. UNESCO will support other similar projects in Colombia, Gabon, the Philippines and South Africa.

37. UNESCO has been assisting member States in defining strategies for tourism that respect local cultures and contribute to development. These include enhancing understanding of the complex phenomenon of tourism and the sharing of best practices and policies, with a view to strengthening national and local capacities so

as to achieve a comprehensive approach, encompassing the economic, social, cultural and ethical dimensions of tourism.

38. The UNESCO-UNAIDS joint project, entitled "A cultural approach to HIV/AIDS prevention and care", launched in 1998, has stimulated discussion on prevention of the disease from the cultural perspective, including interaction between cultural norms and practices and issues related to HIV/AIDS.

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Fifty-eighth session
Item 85 of the provisional agenda*
Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Work of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Report of the Secretary-General

1. The present report is submitted in pursuance of General Assembly resolution 57/124 of 11 December 2002, the operative part of which reads as follows:

> "*The General Assembly*,
>
> ...
>
> 1. *Commends* the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories for its efforts in performing the tasks assigned to it by the General Assembly and for its impartiality;
>
> 2. *Reiterates its demand* that Israel, the occupying Power, cooperate with the Special Committee in implementing its mandate;
>
> 3. *Deplores* those policies and practices of Israel which violate the human rights of the Palestinian people and other Arabs of the occupied territories, as reflected in the reports of the Special Committee covering the reporting period;
>
> 4. *Expresses grave concern* about the situation in the Occupied Palestinian Territory, including East Jerusalem, as a result of Israeli practices and measures, and especially condemns the excessive and indiscriminate use of force since 28 September 2000, which has resulted in almost two thousand Palestinian deaths and tens of thousands of injuries;

* A/58/150.

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5. *Requests* the Special Committee, pending complete termination of the Israeli occupation, to continue to investigate Israeli policies and practices in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967, especially Israeli violations of the Geneva Convention relative to the Protection of Civilian Persons in Time of War, of 12 August 1949[1] and to consult, as appropriate, with the International Committee of the Red Cross according to its regulations in order to ensure that the welfare and human rights of the peoples of the occupied territories are safeguarded and to report to the Secretary-General as soon as possible and whenever the need arises thereafter;

6. *Also requests* the Special Committee to submit regularly to the Secretary-General periodic reports on the current situation in the Occupied Palestinian Territory, including East Jerusalem;

7. *Further requests* the Special Committee to continue to investigate the treatment of prisoners and detainees in the Occupied Palestinian Territory, including East Jerusalem, and other Arab territories occupied by Israel since 1967;

8. *Requests* the Secretary-General:

(*a*) To provide the Special Committee with all necessary facilities, including those required for its visits to the occupied territories, so that it may investigate Israeli policies and practices referred to in the present resolution;

(*b*) To continue to make available such additional staff as may be necessary to assist the Special Committee in the performance of its tasks;

(*c*) To circulate regularly to Member States the periodic reports mentioned in paragraph 6 above;

(*d*) To ensure the widest circulation of the reports of the Special Committee and of information regarding its activities and findings, by all means available, through the Department of Public Information of the Secretariat and, where necessary, to reprint those reports of the Special Committee that are no longer available;

(*e*) To report to the General Assembly at its fifty-eighth session on the tasks entrusted to him in the present resolution;

9. *Decides* to include in the provisional agenda of its fifty-eighth session the item entitled 'Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories'."

2. All necessary facilities were provided to the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories. Arrangements were made for the Special Committee to meet in Geneva from 10 to 12 June 2003 and to have exchanges of views with relevant representatives of permanent missions, of United Nations agencies and such institutions as the International Committee of the Red Cross, as well as with representatives of a number of international non-governmental

[1] United Nations, *Treaty Series*, vol. 75, No. 973.

organizations. In addition, the Special Committee carried out a field mission to Egypt, Jordan and the Syrian Arab Republic from 13 to 24 June 2003. Due to the restrictions imposed on the elaboration of reports to the General Assembly, the Special Committee gave up the submitting of periodic reports during the period under review.

3. Pursuant to paragraph 8 (d) of resolution 57/124, the activities described below were undertaken.

Department of Public Information

4. Throughout the reporting period, the Department disseminated information on the activities of the Special Committee, including documents, press releases and relevant reports on the work carried out by the Special Committee and the Commission on Human Rights, and through contacts with journalists, with the assistance of the United Nations information centres and services and other United Nations offices worldwide.

5. The revised and updated publication of the Department of Public Information, entitled *The Question of Palestine and the United Nations* (DPI/2276), includes extensive references to the reports of the Special Committee, including sections dealing with questions of human rights, settlements and refugees. The booklet was printed in March 2003 in Arabic, Chinese, English, French, Spanish and Russian, and was widely disseminated to all United Nations offices in the field.

6. Electronic copies of the reports of the Special Committee were made available to the public by the Department's Public Inquiries Section upon request and to the delegations of Member States by the Dag Hammarskjöld Library. Information about the Special Committee is contained on the Human Rights web site at www.un.org/rights, which is directly accessible from the main pages of the United Nations web site (www.un.org) and is updated and maintained by the Department in most of the official languages. In addition, a number of web sites of the network of United Nations information centres and services contain information on the work of the Special Committee.

United Nations information centres and services

7. The United Nations Information Service at the United Nations Office at Geneva bears a special responsibility for promoting human rights, given its close proximity to the Office of the United Nations High Commissioner for Human Rights and consequent involvement in the work of the Office, the Commission on Human Rights, the Subcommission on the Promotion and Protection of Human Rights and the majority of the sessions of the six human rights treaty bodies meeting in Geneva. The Geneva Service's activities to promote the work of the Special Committee included press releases issued by the Press Section on the agenda and visits of the Special Committee to Egypt, Jordan and the Syrian Arab Republic in June 2003. The Geneva Service also undertook a wide variety of activities aimed at journalists as well as the general public, to keep them informed on the question of Palestine.

8. The United Nations information centre in Cairo provided support to the Special Committee during its mission to the region. Among other activities, the centre's Director facilitated wide media coverage of the work of the Committee, and in particular, to its meetings in the region. As a result of the Cairo centre's media

outreach, there was extensive coverage of the Special Committee's visit and activities in Egypt.

9. Among the activities undertaken by UNIC Cairo were four TV interviews by the centre's Director with MBC-Channel (Dubai), Nile TV International (Egypt), Al-Arabia Satellite Channel (Dubai) and Nile News (Egypt), highlighting the role of the Special Committee; a live interview by the Director with "Sabah Gadeed" programme (New Day), for Nile TV International, during which he emphasized the mandate of the Special Committee and highlighted the role of the United Nations Relief and Works Agency for Palestine Refugees in the Near East in improving the situation of the Palestinian people; and two interviews with the Chairman of the Special Committee after his meetings with the Secretary-General of the Arab League and with the Egyptian Foreign Minister, as well as an exclusive live interview with Al-Arabia Satellite Channel (Dubai).

10. The Cairo centre also organized a press conference by the Special Committee, to which all Egyptian and Arab newspaper correspondents, as well as television channels, were invited, and distributed the latest report of the Special Committee submitted to the General Assembly (September 2002). In addition, UNIC Cairo translated the press release on the field mission of the Special Committee into Arabic and disseminated it to major Egyptian and Saudi newspapers based in Cairo as well as news agencies.

11. It should also be noted that on 10 June 2003, the Secretary-General addressed a note verbale to all Member States drawing attention to General Assembly resolutions 57/124, 57/125, 57/126, 57/127 and 57/128. The Permanent Mission of the Republic of Poland to the United Nations Office at Geneva responded in a note verbale dated 23 July 2003 to the Office of the United Nations High Commissioner for Human Rights, which is attached as an annex to the present report.

Annex

Note verbale dated 23 July 2003 from the Permanent Mission of the Republic of Poland to the United Nations Office at Geneva addressed to the Office of the United Nations High Commissioner for Human Rights

The Permanent Mission of the Republic of Poland to the United Nations Office and Other International Organizations at Geneva presents its compliments to the Office of the United Nations High Commissioner for Human Rights and with reference to the note of the Secretary-General of the United Nations concerning General Assembly resolutions 57/124, 57/125, 57/126, 57/127 and 57/128 has the honour to transmit herewith the following comments.

Poland invariably lends its support to a peaceful resolution of the Israeli-Arab conflict, as well as to the security and development prospects for all the countries of the region.

By voting at the General Assembly, we favoured the application of the Fourth Geneva Convention to the Palestinian territories, including East Jerusalem and other occupied Arab territories. We do not recognize any decisions or actions on the part of the Israeli Government that go beyond the boundaries of international law and alter the status of the above-mentioned areas, including the Golan Heights. While recognizing Israel's right to defend its people, we call on the Israeli Government to abide by the rules of the Geneva Convention and humanitarian law in the ongoing conflict. At the same time, we call on the Palestinian authorities to put an end to all acts of terror.